

FISCAL NOTE

SB 2828 - HB 2889

February 28, 2006

SUMMARY OF BILL: Authorizes a non-custodial parent, who has been awarded visitation rights, to choose a substitute to fulfill his or her visitation rights in the event that the non-custodial parent is unable to fulfill such visitation rights.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures – Exceeds \$36,000

Other Fiscal Impact – Increase Federal Expenditures – Exceeds \$64,000

Assumptions:

- The total visitation time granted by the court will not increase if the non-custodial parent exercises the right to substitute visitation.
- Non-custodial parents who use a substitute visitor that would not normally have the capacity to meet visitation requirements could prolong the amount of time that a child is in the custody of the Department of Children's Services. The average cost per day of a child in custody is \$100.
- Annually, there are 1,500 cases for the termination of parental rights. If 10% of these cases extend the length of stay for a child in custody there would be an increase in state expenditures exceeding \$100,000 (\$36,000 in state funds and \$64,000 in federal funds at .63735 FFP).
- The Department of Children's Services will be responsible to perform background checks and/or possibly a home study on the substitute visitor in order to ensure the safety of the child which would result in a not significant increase in state expenditures.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director